

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

CHARLES A. SUDDRETH and wife, LUCILLE G. SUDDRETH; BETTY G. BROWN, Individually and as Executrix of the Estate of Everett C. Brown, Deceased; CAROL JEAN BYNUM, Individually and as Representative of the Estate of Steve W. Bynum, Deceased,; MAVIS R. MULLIS, Individually and as Executrix of the Estate of James Parks Mullis, Deceased; DAVID E. STEELE, Executor of the Estate of Erbie L. Steele, and wife, MARIE K. STEELE; JANE WALSER, Individually and as Personal Representative of the Estate of Wilford D. Walser; REGINALD B. BALLARD and wife, NANCY C. BALLARD; EUGENE BEAVER and wife, NITA S. BEAVER; MICHAEL E. BILYEU and wife, JOEANN G. BILYEU; BRIAN D. BOST; EUGENE H. BROOKS and wife, JACQUALINE B. BROOKS, ERNEST B. BURTON and wife, E. INEZ BURTON; JAMES D. COMER and wife, JANE B. COMER; CHARLES L. CRISP and wife, LINDA S. CRISP; HAROLD D. DALTON, SR.; DAVID L. EARLS and wife, DEBORAH P. EARLS, OLLEN J. FARRIS and wife, LINDA JOYCE FARRIS; ARNOLD R. FLOYD and wife, RUBY T. FLOYD; JAMES D. GILLESPIE and wife, WILLA W. GILLESPIE; MADGE L. HENSLEY and husband, CHARLES T. HENSLEY; STEVEN F. HOLLARS, Executrix of the Estate of Jack F. Hollars, Deceased, and ARTHURENE S. HOLLARS; DONALD C. HOLLIS; CHARLIES R. HORD and wife, BEVERLY P. HORD; JACK B. HUGHES and wife, SARAH ESTHER HUGHES; ARCHIE HUMPHRIES, JR. and wife, MARGARET M. HUMPHRIES, BARBARA R. HUMPHRIES, Executrix of

CIVIL NO. 5:98CV29

**ORDER OF DISMISSAL WITH
PREJUDICE OF
DEFENDANT CERTAINTIED
CORPORATION**

the Estate of Buddy R. Humphries,)	
Deceased; LARRY K. HUMPHRIES and)	
wife, THERESA N. HUMPHRIES;)	
WILLIAM E. JACOBS and wife, EDITH)	
H. JACOBS; BILLY BROWN JARRETT,)	
and wife, EVA MAE JARRETT; JAMES)	
A. KISNER and wife, BRENDA G.)	
KISNER; ZENO B. LANCASTER and)	
wife, KATHERINE B. LANCASTER; SAM)	
L. LYNN; CLYDE R. McKNIGHT and)	
wife, MADELYN G. McKNIGHT;)	
WALTER H. MABE, JR. and wife,)	
KATHY L. MABE; LEON B. MAUNEY)	
and wife, EUNICE W. MAUNEY;)	
KENNETH H. MOREE and wife, LYNN D.)	
MOREE; MARY ALRIDGE SCRUGGS,)	
Individually and as Executrix of the Estate)	
of Joe Scruggs, Deceased; CORRINE F.)	
SMITH and husband, JERRY L. SMITH;)	
JACKSON J. SMITH and wife, CAROLYN)	
S. SMITH; LOYD L. SUTTON and wife,)	
MARGARET H. SUTTON; WILLIAM C.)	
THOMAS; CECIL B. THOMPSON and)	
wife, MARGIE B. THOMPSON; WALTER)	
D. THOMPSON, CAROLYN I. WAGNER,)	
Individually and as Executrix of the Estate)	
of Kenneth L. Wagner, Deceased; SARAH)	
B. WALTERS, Individually and as)	
Representative of the Estate of James B.)	
Walters, Deceased,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
ACandS, INC., et al.,)	
)	
Defendants.)	

THIS MATTER is before the Court on the motion of all the Plaintiffs herein and Defendant CertainTeed Corporation, to dismiss this action with prejudice as to that Defendant.

For good cause appearing,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the joint motion to dismiss is **ALLOWED**, and the claims of each of the Plaintiffs herein against the Defendant CertainTeed Corporation, are hereby **DISMISSED WITH PREJUDICE**.

Signed: March 23, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

